

6:45 p.m. – STUDY SESSION

- **Chapter 37**
- **HR Position**
- **One Year Review of Zoning, Subdivision Codes**

Agenda

Tipp City City Council

7:30 p.m. Monday, April 6, 2015

Tipp City Government Center

260 South Garber Drive

Tipp City, Ohio 45371-3116

1.	Call to Order - Roll Call	President Gibson
2.	Prayer for Guidance, Pledge of Allegiance	Pastor Dan Glover Tipp United Methodist Church
3.	Motion to Approve the Agenda	President Gibson
4.	Minutes Minutes of the March 13, 2015 Special City Council Meeting Minutes of the March 16, 2015 City Council Work Session Minutes of the March 16, 2015 City Council Meeting Minutes of the March 23, 2015 Special Council Meeting	President Gibson
5.	Presentations, Proclamations, & Awards	President Gibson
6.	Legislation	Mr. Eggleston
	Ordinances (<i>second reading</i>) A. Ordinance No: __-15: An ordinance adopting a revised codification of the Tipp City Municipal Code. (Introduced by President Gibson) Summary: This ordinance enacts and adopts a supplement to the Tipp City Municipal Code by updating the code with all ordinances of a general and permanent nature approved by Council in 2014 including any changes to the Ohio Revised Code and Ohio Constitution which impact the Code of the City of Tipp City.	
	Resolutions (<i>one reading required</i>) A. Resolution No: __-15: A resolution declaring personal property owned by the City of Tipp City to be surplus property and no longer useful in the general operation of the City. Summary: This resolution declares a Turf Tiger Zero Trim Mower Model #STT61V-35BVAC-SS, Serial # E5400985 as surplus property and no longer useful in the general operation of the City. B. Resolution No: __-15: A resolution declaring personal property owned by the City of Tipp City to be surplus property and no longer useful in the general operation of the City.	Mr. Eggleston

	<p>Summary: This resolution declares a Vodavi Phone system and all related hardware as surplus property and no longer useful in the general operation of the City.</p> <p>C. Resolution No:___-15: A resolution authorizing the City Manager to make payments for the acquisition of right-of-way on the CR25A Project in excess of \$25,000.</p> <p>Summary: This resolution authorizes the City Manager to acquire right-of-way for parcels exceeding \$25,000 in value in conjunction with the County Road 25A Reconstruction Project. The City will receive an 80% Ohio Department of Transportation (ODOT) Grant as reimbursement for right-of-way acquisition costs for this project.</p>	
	<p>Ordinances (<i>first reading</i>)</p> <p>A. Ordinance No:___-15: An ordinance levying special assessments for the construction of curbs, gutters, sidewalks and driveway approaches in conjunction with the Dow Street Reconstruction Project within the City of Tipp City, Ohio.</p> <p>Summary: This ordinance authorizes the levying of sidewalk, curb, gutters and driveway approaches in conjunction with the Dow Street Reconstruction project.</p> <p>B. Ordinance No:___-15: An ordinance amending 2015 appropriations and modifying the annual operating budget as a result of this action.</p> <p>Summary: This ordinance amends and modifies the 2015 annual operating budget to appropriate additional monies due the EMS operational review, purchase of additional road salt, purchase of Police Department data server and reappropriation of cash surety related to the Cedar Grove subdivision.</p> <p>C. Ordinance No:___-15: An ordinance amending §34.004 of the Tipp City Code of Ordinances Pertaining to Municipal Purchasing Procedures.</p> <p>Summary: This ordinance amends the City's purchasing procedures from \$25,000 to \$50,000 to follow state statutory requirements concerning purchases and competitive bidding thresholds.</p> <p>D. Ordinance No:___-15: An ordinance to appropriate a fee simple title and utility easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p> <p>E. Ordinance No:___-15: An ordinance to appropriate a fee simple title and utility easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p> <p>F. Ordinance No:___-15: An ordinance to appropriate a fee simple title, utility easement and temporary easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p>	Mr. Eggleston

	<p>G. Ordinance No:___-15: An ordinance to appropriate a fee simple title, utility easement and temporary easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p> <p>H. Ordinance No:___-15 An ordinance to appropriate a fee simple title, utility easement and temporary easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p> <p>I. Ordinance No:___-15: An ordinance to appropriate a fee simple title, utility easement and temporary easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p> <p>J. Ordinance No:___-15: An ordinance to appropriate a fee simple title, utility easement and temporary easement in certain described property and declaring an emergency.</p> <p>Summary: This ordinance authorizes the appropriation of certain permanent and temporary right-of-way necessary to facilitate the construction of the County Road 25A Reconstruction Project.</p>	
7.	Motions <p>A. A motion accepting and approving the Tree Board Annual Plan for 2015.</p> <p>B. Motion to deposit with the Tipp City Chamber of Commerce \$5,000 to be dedicated for expenditures associated with the Tipp City 175th Anniversary Celebration as approved by the 175th Celebration Committee.</p>	President Gibson
8.	Miscellaneous	Mr. Eggleston
9.	Citizen Comments on Items Not on the Agenda	President Gibson
10.	Comments of Councilmembers/City Manager	President Gibson
11.	Adjournment	President Gibson

EXECUTIVE SESSION: COLLECTIVE BARGAINING

Council welcomes the comments and input of the public during the Council meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council meeting or Public Hearing.

Any citizen who wishes to address Council must first seek recognition from the President of Council. Upon recognition by the President, the speaker should approach the podium, state their name and make their comments. Speakers should not leave the podium to approach Councilmembers without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to individuals at the podium to prevent any potential confusion or disruption.



April 3, 2015

The Honorable Joseph Gibson &
City Council Members

MEETINGS/EVENTS

Monday, April 6 th	6:30 pm	Study Session
Monday, April 16 th	7:30 pm	City Council Meeting

STUDY SESSION

- A. **One Year Review of Zoning, Subdivision Codes** – See attached PowerPoint.
- B. **Discussion on Chapter 37** – See attached Ordinance with explanations and organizational chart.
- C. **Human Resources Specialist** – Discussion by Manager

AGENDA

PRESENTATIONS, PROCLAMATIONS, & AWARDS – NONE

ORDINANCES (second reading)

- A. **Code Update** – The adoption of this ordinance would approve the codification of legislation passed by City Council from January 1 to December 31, 2014. Codification involves placing laws in a code in a systematic order. The Tipp City Charter requires that Council periodically “provide for the preparation of a general codification of all ordinances and resolutions having the force and effect of law.” This process is performed annually or bi-annually to keep the code books and website up to date depending on the volume of legislation to be codified.

RESOLUTIONS (require one reading)

- A. **Surplus Property Zero Turn Mower** – This resolution declares the Turf Tiger Zero Turn Trim Mower with 813 engine hours as surplus property and authorizes the City Manager to dispose the mower by public sale using gov-deals, by trade-in, or by the most cost-beneficial means as determined by the City Manager. Attached is a memo from City Engineer/Service Director Donnelly.

- B. Surplus Property Vodavi Phone System** – This resolution declares a Vodavi Phone Systems and all hardware as surplus property and authorizes the City Manager to dispose of this phone system by public sale using gov-deals, by trade-in, or dispose of in the most cost-beneficial means as determined by the City Manager.
- C. CR25A Right-Of-Way Acquisition for 2628 County Road 25A** – Because the City has to appropriate some of the parcels for the County Road 25A project, the City is required to deposit the amount of the appraisal with the court until such time as the matter can be resolved. The appraisal for one of the parcels exceeds the \$25,000 administrative purchasing threshold afforded the City Manager. The cost to acquire the necessary right-of-way and easements etc is \$37,531. A memo from City Engineer/Service Director Donnelly is attached for your review.

ORDINANCES (first reading)

- A. Dow Street Reconstruction Assessments** – This ordinance if adopted would levy special assessments for the construction of curbs, gutters, sidewalks and driveway approaches, constructed as part of the reconstruction of Dow Street, from S. Hyatt east to S. Fifth Street in 2014. The property owners were invoiced for only the work that was completed. The assessments set forth in this ordinance are due by the property owners within thirty (30) days after its passage. Otherwise, uncollected assessments will be certified to the County Auditor to be placed on the tax duplicate and collected in ten (10) annual installments with interest as assessed by the Auditor. Property Owners will be sent a final reminder notice prior to the assessment taking place.
- B. Supplemental Appropriations** - This ordinance will appropriate monies for several unanticipated expenses as shown in the following table:

Fund	Description	Amount
General Fund	EMS Operational Review	\$7,500
State Highway Fund	Purchase Road Salt	\$10,000
Municipal Road Fund	Purchase Road Salt	\$40,000
Law Enforcement Fund	Purchase of Data Server	\$10,000
Contractor Maintenance Deposit Fund	Cash surety posted for Cedar Grove Subdivision	\$1,025,000
	TOTAL	\$1,092,500

C. Amending Code Section 34.004 – This ordinance would amend the City’s purchasing procedures by increasing the purchasing threshold from \$25,000 to \$50,000 to coincide with state statutory requirements concerning purchases and competitive bidding thresholds.

D–J. County Road 25A Right-of-Way Appropriations – These seven ordinances that staff is asking to be passed as an emergency is a continuation of the appropriations process for the County Road 25A project. Unfortunately, since the March 23rd Special meeting, staff has not been able to come to an agreement with the remaining property owners. Tonight there are seven parcels for your consideration. Of the seven parcels remaining, five are located outside of the corporate limits and two are located inside. The last remaining parcel has been served via certified mail and will come before Council at a later date. It is hoped that an agreement can be reached with the property owner before bring this to Council for consideration. The seven parcels for consideration are:

Parcel 5 – 6320 S. CR25A, G15-023392
Parcel 6 – 6200 S. CR25A, G15-023390
Parcel 31 – 5465 S. CR25A, G12-027900
Parcel 9 – 25 W. Michaels Rd., G12-080956
Parcel 12 – Lot 96 Buckingham, South CR25A, G12-080957
Parcel 13 – Lot 97 Buckingham, South CR25A, G12-080958
Parcel 14 – 5860 S. CR25A, G12-080959

Again, these ordinance as previously done have been drafted as an emergency legislation for each of the parcels in order to maintain the project schedule. The combined value for the seven parcels is \$69,652. This process is not something that staff has taken lightly. Also made part of this explanation is a list of the properties and where they stand.

MOTIONS

A. Approving the Tree Board Annual Plan – One of the responsibilities of the Tree Board is to “develop, update, and administer the Tree Plan, which is a written document for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets, and in other public areas.” The Tree Board met on February 11, 2015 and is recommending acceptance and approval of the 2015 Annual Tree Plan by City Council, upon your review and consideration (See Attached). Councils’ acceptance and approval shall constitute the official comprehensive tree plan.

MISCELLANEOUS - None

City Manager's meetings for the month

April 1 - Rotary
April 1 – Business First! Captor Corp.
April 2 – MVRPC
April 2 – Miami County Manager's Lunch
April 6 – Council Meeting
April 8 – Rotary
April 8 – Tree Board Meeting
April 8 – Dayton Area Mayor and Managers Association
April 13 – Dayton Managers Roundtable
April 14 – Planning Board Meeting
April 15 – Rotary
April 20 – Council Meeting
April 21 - Downtown Tipp City Partnership Meeting
April 21 – Business First! Tipp Top Canning
April 22 – Rotary
April 22 – MVRPC Annual Spring Dinner
April 23 – Mayors and Managers Breakfast
April 23 – Tri-Cities Board Meeting
April 29 – Rotary
April 30 – Webinar on Social Media